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22852

PATENT TRADEMARK OFFICE

PATENT

Attorney Docket No. 05725.1017

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

)

Jean-Louis H. GUERET

)

Group Art Unit: 3751

Application No.: 10/060,234

)

Examiner: Huyen Le

Filed: February 1, 2002

)

For: DEVICE FOR APPLYING A  
PRODUCT

)

**RECEIVED**

JUN 11 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TECHNOLOGY CENTER R3700

Sir:

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

In an Office Action dated May 6, 2003, the Examiner required an election under 35 U.S.C. § 121 of one of the following allegedly patentably distinct species:

Species I of Figs. 1A-1C;

Species II of Figs. 2A-2D; and

Species III of Figs. 3A-3D, 4, and 5.

The Examiner indicated that claims 1-18, 70-85, 87, and 89-92 are generic.

In addition to requiring an election of one of the above-listed species, the Examiner required a listing of all of the claims "readable" on the elected species.

Applicant provisionally elects to prosecute Species III of Figs. 3A-3D, 4, and 5.

At least claims 1-51, 60-67, 70-91, 93-123, 132-141, 144-164, 166-194, and 203-212

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"read" on the elected Species III. Applicant therefore respectfully requests the examination of claims 1-51, 60-67, 70-91, 93-123, 132-141, 144-164, 166-194, and 203-212.

Further, Applicant respectfully submits that at least claims 1-18, 36-41, 60-66, 70-87, 89-91, 109-113, 132-140, 144-160, 162-164, 182-185, and 203-211 are generic. Applicant understands that upon the allowance of a generic claim, any nonelected claims which depend from or otherwise contain all of the limitations of such an allowed generic claim will be rejoined and also allowed.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 5, 2003

By: Susanne T. Jones

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